

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

LARRY G. PHILPOT,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4: 20-cv-01540-MTS
)	
GATEWAY BLEND, LLC,)	
)	
Defendant.)	

**ENTRY OF APPEARANCE AND DEFENDANT’S MOTION
FOR EXTENSION OF TIME TO FILE RESPONSIVE PLEADING**

COMES NOW Defendant Gateway Blend, LLC (“Defendant”), through its undersigned attorneys, who hereby enter their appearance on behalf of Defendant in this matter, and respectfully requests that this Court grant an extension of time, to and including January 8, 2021, for Defendant to file its responsive pleading in this case. In support of this Motion, Defendant respectfully states as follows:

1. This is Defendant’s first request for an extension of the responsive pleading deadline, which currently is December 28, 2020, in that Defendant via this entry has agreed to waive service in this matter, as requested by Plaintiff on October 28, 2020.

2. Yesterday, defense counsel emailed and phoned Plaintiff’s counsel to determine whether Plaintiff would consent to the relief requested in this Motion. As of filing this Motion, Plaintiff’s counsel has yet to advise as to whether Plaintiff consents.

3. The requested 11-day extension is in the interest of justice and is not made for purposes of mere delay, in that, *inter alia*, it not only will allow the parties time to explore a negotiated resolution of this dispute, which they already are discussing, a process that may well

be slowed by the holiday season, but also will allow Defendant adequate time to prepare a responsive pleading in the event those settlement discussions prove fruitless.

WHEREFORE, Defendant requests that this Court (1) grant an extension of time to and including January 8, 2021 for Defendant to file its responsive pleading; and (2) grant such other and further relief as the Court deems appropriate.

Date: December 2, 2020

Respectfully submitted,

/s/ John E. Petite

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was filed with the Clerk of the Court using the CM/ECF system, which sent notification of such filing to all registered users for the parties of record, on December 2, 2020.

/s/ John E. Petite